



August 10, 2010

Lynda Miller
Grants Director
Operation Care
621 New York Ranch Rd
Jackson, Ca 95642

SUBJECT: Performance Assessment Report
GRANT #: DV09081628 & DR09011628
RECIPIENT NAME: Operation Care

Dear Ms. Miller,

Thank you again for your time on August 9, 2010, when I conducted a Performance Assessment of the Domestic Violence Assistance (DV) Program grant for your agency. Attached please find a copy of the Performance Assessment including the Domestic Violence Recovery Act (DR) Addendum.

During the site visit, we discussed Cal EMA's requirements for the project, the goals and objectives of the program, the project's source documentation, and the reporting requirements. As a result of the visit, I have identified the following areas which need corrective action.

Client Confidentiality

Current Policy: No written policy exists for the handling, safekeeping, and eventual destruction of files. Current policy establishes the guidelines of confidentiality and the time frame for having the files, but no guideline for handling of the files.

Citation: Both the Victims Of Crime Act and the Family Violence Prevention Act contain provisions protecting the confidentiality of victims. Specifically, 42 U.S.C. 10402 (a)(2)(E) authorizes the state to ensure documented procedures have been developed and implemented (to include policies and procedures) "to assure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services by any program assisted under this chapter..."

Recommendation: Written protocols should be established for the storage of and eventual destruction of client files, in order to protect against the dissemination of confidential client information. Evidence of the development of a written policy should be submitted to Cal EMA no later than **February 10, 2011**.

EEO Policy

Finding : The project lacks written policies for language assistance services that provide Limited English Proficiency (LEP) persons with meaningful access, i.e. oral interpretation services, bilingual staff, telephone interpreter lines, written language services, community volunteers, etc.

Citation: Recipient Handbook Section 2151.7 states, "Cal EMA program staff will provide an EEO Checklist to recipients prior to all site/monitoring visits. The checklist will assist Cal EMA in verifying that recipients are in compliance with state and federal civil rights requirements by noting that various EEO documents (EEO Policy, Nondiscrimination Poster) are available at the site/monitoring."

Corrective Action: Personnel responsible for EEO compliance should contact the Cal EMA EEO Compliance Officer at (916) 845-8454 for additional information on specific state and federal civil rights laws to ensure compliance. Additionally, the project should establish a written personnel policy and a written administrative policy for addressing the needs of those with LEP. Evidence of this new policy should be submitted to Cal EMA no later than **February 10, 2011**.

As for the other documentation that you were required to provide at the time of the site visit, I will be placing copies in your DV09/10 file and your master file at Cal EMA headquarters.

Enclosed is a copy of the completed Site Visit Checklist Form for your review. Please sign the cover page and return a copy of the page to me by **Friday, September 10, 2010 or sooner** as confirmation of receipt.

Thank you again for your hospitality during this visit. If you have any questions regarding the site visit please contact me at 916.324.9104 or Jason.Stalder@calema.ca.gov.

Jason Stalder
Criminal Justice Specialist
Domestic Violence Section

Enclosures

C: Cal EMA R&R Logistics